**THE HON'BLE SRI JUSTICE P.S.NARAYANA**

**WRIT PETITION NO.11752 OF 2004**

**DATED: 09.11.2006**

**BETWEEN:**

Smt.B.Kamala Kumari

… petitioner

And

The District Panchayat Officer,
Machilipatnam, Krishna district.
And another

… Respondents.

**THE HON'BLE SRI JUSTICE P.S.NARAYANA**

**WRIT PETITION NO.11752 OF 2004**

**ORDER:**

Heard the counsel.

The writ petition is filed for a writ of mandamus declaring the impugned orders vide proceeding RC.No.2975/02, Pts-5, dated 23-6-2004 passed by the 1st respondent, removing to utilize the funds and cheque power of the petitioner, as without jurisdiction and contrary to Rule 42(2) of G.O.Ms.No.30 of Panchayat Raj and Rural Developments Department, dated 20.1.1995 and against Section 249(6) of A.P. Panchayat Raj Act, 1994 and in violation of the principles of natural justice and consequently set aside the same and consequential acts and to pass such other orders.

It is stated by the learned Assistant Government Pleader that the writ petition is covered by the ratio in ***D.Rama Murthy VS District Panchayat Officer, Chittoor***[1] . However, it is also stated that the term of the Sarpanch also is over. It is made clear that the impugned order cannot be sustained and accordingly, the same is hereby set aside. But however, inasmuch as it is brought to the notice of this Court that the term of the petitioner itself was over, no further orders need be passed at this stage.

Accordingly, the writ petition is disposed of. No order as to costs.

**09.11.2006.**

**mdaa**

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[1] 2006(1) ALT 723